

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

KPO-002

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/58808

INTERNATIONAL APPLICATION NO.
PCT/JP2005/008313

INTERNATIONAL FILING DATE
April 22, 2005

PRIORITY DATE CLAIMED
April 26, 2004

TITLE OF INVENTION

OXYNITRIDE POWDER AND PRODUCTION METHOD THEREOF

APPLICANT(S) FOR DO/EO/US

Naoto HIROSAKI; Takayuki SUEHIRO

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) as indicated below.
4. The US has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is transmitted hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US)
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendment has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A preliminary amendment.
14. An Application Data Sheet under CFR 1.76
15. A substitute specification.
16. A power of attorney and/or change of address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821–1.825
18. A second copy of the published international application under 35 U.S.C. 154(d)(4)
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4)
20. Other items or information: PCT/IB/308; PCT/ISA/210; First page of Publication WO2005/102921A1

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|--|---|---|--------------------|---------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 107588008 | INTERNATIONAL APPLICATION NO. PCT/JP2005/008313 | ATTORNEY'S DOCKET NUMBER KPO-002 | | |
| The following fees are submitted: | | CALCULATIONS PTO USE ONLY | | |
| 21. <input checked="" type="checkbox"/> Basic national fee ... \$ 300.00 | | \$ 300.00 | | |
| 22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) All other situations ... \$ 100.00 ... \$ 200.00 | | \$ 200.00 | | |
| 23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Search Authority ... \$ 100.00 International Search Report prepared and provided to the Office ... \$ 400.00 All other situations ... \$ 500.00 | | \$ 500.00 | | |
| TOTAL OF 21, 22 and 23 = | | \$1,000.00 | | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof | | | | |
| Total Sheets | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | |
| - 100 = | /50 = | | × \$250.00 | \$ |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | |
| Total Claims | 20 | - 20 = 0 | × \$ 50.00 | \$ 0.00 |
| Independent Claims | 1 | - 3 = 0 | × \$200.00 | \$ 0.00 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360.00 | \$ |
| TOTAL OF ABOVE CALCULATIONS = | | | \$ 1,000.00 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½. | | | \$ 0.00 | |
| | | SUBTOTAL = | \$ 1,000.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than the 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | + \$ 0.00 | |
| | | TOTAL NATIONAL FEE = | \$ 1,000.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | + \$ 40.00 | |
| | | TOTAL FEES ENCLOSED = | \$ 1,040.00 | |
| | | Amount to be refunded: | | |
| | | Amount to be charged | | |
| <p>a. <input type="checkbox"/> A check in the amount of \$ _____ .00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>11-0219</u> in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>11-0219</u>. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | | |
| SEND ALL CORRESPONDENCE TO: KANESAKA BERNER & PARTNERS 1700 Diagonal Road, Suite 310 Alexandria, VA 22314 (703) 519-9785 | | Customer No. <u>32628</u> PATENT TRADEMARK OFFICE | | |
| | |  SIGNATURE Manabu Kanesaka NAME 31,467 REGISTRATION NUMBER | | |